

Functional Series 200 – Programming Policy
ADS 252 – Visa Compliance for Exchange Visitors

*This is a new ADS chapter.

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ADS 252 – Visa Compliance for Exchange Visitors

252.1 OVERVIEW

Effective Date: 01/01/2005

This chapter provides policy directives and required procedures for foreign nationals traveling to the United States (U.S.), who are financed in whole or in part, directly or indirectly by USAID, for training, non-training, and invitational travel events. For information on Participant Training, see [ADS 253](#). For information on Invitational Travel, see ADS 522.5.12.

ADS 252 is a new chapter composed of new material and sections that were removed and updated from ADS 253.

252.2 PRIMARY RESPONSIBILITIES

Effective Date: 01/01/2005

The Bureau of Economic Growth, Agriculture, and Trade, Education Division manages the Agency's J-Visa designation and compliance with the Department of Homeland Security and Department of State regulations pertaining to [22 CFR 62-69](#). The office collects exchange visitor data from Sponsoring Units, Program Implementers, and Training Providers, and manages the Agency's exchange visitor approval process, fulfilling a mandatory central USAID function of providing the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) and Department of State with information about individuals sponsored for exchange visitor activities in the United States.

It is the role of the General Counsel's Office and/or Regional Legal Advisors to interpret and provide advice regarding laws and regulations related to visas.

252.3 POLICY AND PROCEDURES

Effective Date: 01/01/2005

The policies and procedures provided in this section are applicable to all U.S.-based Exchange Visitor activities.

All USAID Sponsoring Units, Implementers, and other individuals involved in sponsoring U.S.-based Exchange Visitor activities are expected to familiarize themselves with the mandatory reference, [The Complete Guide to USAID Visa Compliance](#), and to apply such guidance where required or applicable. This mandatory reference contains additional information related to corresponding policy references.

All Exchange Visitors, including those persons traveling on Invitational Travel (as defined in [ADS 522](#)), must obtain, use, and abide by the terms of the J-1 visa exclusively when participating in USAID-funded activities, even if they already have a valid non-immigrant visa (e.g., B-1/B-2), unless such requirement is waived by the Mission Director, as set forth below.

Mission Directors, in consultation with Regional Legal Advisors on a case-by-case basis, may waive with written justification the requirement to use J-1 visas in appropriate circumstances (e.g. for high-level government officials holding pre-existing A visas and having recognized diplomatic titles, privileges and immunities; and for other individuals whose travel is required in order to meet urgent, sensitive, and high priority Mission program requirements), when such action is deemed in the best interest of the Agency (See **AID Form 522-5**, only available on the USAID Intranet at <http://inside.usaid.gov/forms/a522-5.doc>).

The Department of State designated USAID as a sponsor of two programs (G-2-0263 and G-2-0370) for the following categories of Exchange Visitors, as defined in [22 CFR 62](#):

- a. Student
- b. Short-Term Scholar
- c. Specialist
- d. Researcher
- e. Government Visitor
- f. Trainee

Because USAID is designated as a sponsor for multiple Exchange Visitor categories, any distinction based on the type of activity will not negate the requirement for individuals to use J-1 visas to enter the U.S.

252.3.1 Exchange Visitor Eligibility and Selection
Effective Date: 01/01/2005

An Exchange Visitor is a host-country resident or host-country national whose travel USAID funds for an activity conducted within the U.S. for the purpose of furthering USAID development objectives.

Sponsoring Units must observe the following requirements when determining Exchange Visitor eligibility:

- a. Individuals sponsored with USAID funds must be citizens or legal residents of the host country.
- b. If they are from a "Covered Country," individuals must meet the criteria in [ADS 206](#), Prohibition of Assistance to Drug Traffickers.

- c. Before approving dependent travel, the Sponsoring Unit must ensure that the Exchange Visitor completes and signs the Dependent Certification Form ([AID 1380-5](#)) and that the Exchange Visitor agrees to the conditions and regulations included in the form. USAID has no obligation to pay for family members who accompany an Exchange Visitor. Furthermore, the Exchange Visitor bears sole responsibility for supporting dependents.
- d. Citizens of USAID non-presence countries are not eligible, unless they have permanent residency in a USAID presence country. Mission Directors or Bureau Offices may waive a selected non-presence country Exchange Visitor's ineligible status. Missions or Bureaus providing such a waiver must conduct the same Participant and Dependent Security risk inquiry as is required for USAID presence country Exchange Visitors, and must retain copies of the Security risk inquiry for each Exchange Visitor.

252.3.2 Exchange Visitor and Dependent Security Risk Inquiry

Effective Date: 01/01/2005

This section only supplements and does not substitute or supersede other security measures in place or determined to be appropriate by the Embassy, Consulate, Regional Security Officer (RSO), and/or USAID's Office of Security.

USAID Missions or Bureaus must conduct a security risk inquiry to help identify any potential security threats that potential Exchange Visitors or their dependents could pose to the United States. The process for conducting the Security risk inquiry must be included in the Mission Order for Exchange Visitor Training or a Directive for Exchange Visitor Training, and must address:

- How the security risk inquiry will be conducted,
- Who will conduct the inquiry, and
- The point at which the inquiry must occur in the Exchange Visitor selection and pre-departure process.

Because security concerns vary among the different Missions around the world, there is no single appropriate formula or prescribed process to cover all situations. Missions or Bureaus may establish such procedures as:

- Formal background checks,
- Police reports,
- Letters of recommendation,
- Previous personal knowledge of the Exchange Visitor's conduct,

- Information and impression based on interview, and
- Any other evidence the Mission determines to be appropriate in the local environment, including working with and making inquiries to such Embassy officials as Regional Security Officers (RSO), Homeland Security Officers (HSO), consular officers, etc.

252.3.3 Dependent Certification

Effective Date: 01/01/2005

Dependent travel must be approved by Mission or Bureau Office Directors. Exchange Visitors must complete, sign, and submit a Dependent Certification Form ([AID Form 1380-5](#)) to the Mission or Bureau Office Director for approval. A Security risk inquiry must be conducted for dependents.

Specific evidence used to make the required Dependent Security risk inquiry (see [ADS 252.3.2](#)) must be named in the provided text field (item 11.2) of the form. Sponsoring Units (or Implementers, as designated) must keep the approved Dependent Certification Form ([AID Form 1380-5](#)) and the security risk determination evidence on file with other Exchange Visitor documents.

A copy of the approved Dependent Certification Form must be sent (faxed) to the EGAT/ED Responsible Officer.

252.3.4 Certificate of Eligibility for Exchange Visitor (J-1) Status (Form DS-2019)

Effective Date: 01/01/2005

To comply with the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS), and Department of State regulations regarding tracking and monitoring of Exchange Visitors, foreign nationals whose costs are paid, fully or partially, directly or indirectly using USAID program funds for training, non-training, and invitational travel, must enter the U.S. on a J-1 visa (non-immigrant Exchange Visitor visa) processed under one of USAID's two program numbers, unless otherwise waived according to the procedure in ADS 252.3. Because USAID has no authority to issue visas, there may be circumstances in which another U.S. government official having such authority independently determines that a J-1 visa is *not* the appropriate visa for such USAID-sponsored travel. In such cases, the travel should proceed, and the Mission Director should notify the Bureau of Economic Growth, Agriculture, and Trade, Education Division, of such decision in writing.

USAID is designated as a sponsor of two programs (G-2-0370 and G-2-0263) for the following categories of Exchange Visitors as defined in [22 CFR 62](#):

- a. Student – *used when the Exchange Visitor is entering the U.S. and pursuing a full course of study (as defined by the college or university) towards:*

- *Associate degree*
 - *Bachelor degree*
 - *Master degree*
 - *Doctoral degree*
 - *Non-degree program*
- b. Short-term Scholar – *used when the Exchange Visitor is entering the U.S. for a period of up to six months to lecture, observe, consult, participate in seminars, workshops, conferences, study tours, professional meetings, or similar types of educational and professional activities.*
- c. Specialist – *used when the Exchange Visitor is deemed to be an expert in their profession and is entering the U.S. for a period of up to one year to observe, consult, or demonstrate special skills.*
- d. Researcher – *used when the Exchange Visitor has an advanced degree and is entering the U.S. for a period of up to 3 years to conduct research, teach, and lecture with their American colleagues, to participate actively in cross-cultural activities with Americans, and ultimately to share with their fellow citizens their experiences and increased knowledge about the U.S. and their substantive fields.*
- e. Government Visitor – *used when the Exchange Visitor is recognized as influential or distinguished and is entering the U.S. for a period of up to 18 months to participate in observational study tours, discussions, consultations, professional meetings, conferences, or workshops.*
- f. Trainee – *used when the Exchange Visitor is entering the U.S. for a period of 21 days up to 18 months to enhance knowledge, skills, and abilities in their “specialty” or “non-specialty” occupation through participation in structured training activities:*
- *Specialty – Exchange Visitor must have already completed a four-year degree in their field or a recognized non-degree professional certificate.*
 - *Non-specialty – Exchange Visitors need not have a completed degree. However, Exchange Visitors must have at least two years of education, training, or experience in the field in which they are to receive training.*

A Certificate of Eligibility for Exchange Visitor (J-1) Status Form DS-2019 and other supporting documents must be submitted to the U.S. consulate in order to apply for a J-1 visa.

Agency policies and supporting procedures and systems for obtaining a DS-2019 form reflect requirements of the Student and Exchange Visitor Information System (SEVIS). In order to obtain a DS-2019 form for a USAID-sponsored Exchange Visitor, information about the prospective Exchange Visitor must be submitted by an assigned operator (R1) using the USAID Training Information Network (TraiNet), verified by an assigned verifier (R2) using the USAID Visa Compliance System (VCS), and approved by an assigned Mission or Bureau approver (R3) also using VCS, and submitted by the EGAT Responsible Officer (R4) or Alternate to SEVIS. The DS-2019 form is generated by SEVIS, signed by the EGAT/ED Responsible Officer, and expeditiously sent to Missions for facilitating consular interviews. For visa policy and procedural guidance, see [The Complete Guide to USAID Visa Compliance](#).

252.3.4.1 Initiation of Exchange Visitor Data

Effective Date: 01/01/2005

TraiNet is the single repository for USAID Exchange Visitor data. Exchange Visitor information must be entered accurately and completely without error in TraiNet. Data must be verified in VCS, allowing sufficient time for the Exchange Visitor to receive the form and to arrange for a consular interview. Some consulates may require extended lead-time. Data must not be entered into TraiNet and verified in VCS less than two (2) weeks prior to the planned travel date. Data must be initiated and verified prior to this time.

252.3.4.2 Verification of Exchange Visitor

Effective Date: 01/01/2005

Once entered in TraiNet, all Exchange Visitor data must be verified by the same organization that entered the data in TraiNet, using the USAID Visa Compliance System (VCS).

- a. A Mission or Bureau Approver ([252.3.4.3](#)) must nominate individuals authorized to verify required data (Verifiers). The role of Verifier (R2) is performed by the supervisor of the TraiNet Operator and cannot be performed by the TraiNet Operator. In those cases where the TraiNet Operator is on USAID staff, the R2 role cannot be carried out by an implementer. R2 Verifiers may not supervise the R1 Initiators where such relationship would be contrary to U.S. law or USAID policy.
- b. Verifiers (R2) must verify that all TraiNet data imported into VCS is complete, correct, and error-free.

252.3.4.3 Approval of Exchange Visitor Data

Effective Date: 01/01/2005

Missions or Bureaus must approve all data necessary for obtaining a DS-2019 form, for each U.S. bound Exchange Visitor, using the USAID Visa Compliance System (VCS).

- a. The Mission Director or Bureau Office Director must appoint Mission or Bureau staff authorized to approve required data (Approvers), and submit those appointments directly to the Responsible Officer in Washington. Authorized Approvers (R3) must be U.S. citizens.
- b. Sponsoring Units (or Implementers, as designated) must provide Mission Approvers with the following reference documents required for the approval function:
 - (1) A copy of the face-page of the Exchange Visitor's passport, clearly showing the face, passport number, and country of citizenship,
 - (2) An Exchange Visitor Application (see Participant Application, [ADS 252.3.3](#)),
 - (3) A Training Request or description of Exchange Visitor activity, and
 - (4) If applicable, a Dependent Certification Form [AID 1380-5](#), approved by the Mission Director.
- c. Approvers (R3) must approve the following (by selecting the "Approve" button in VCS):
 - That to the best of his/her knowledge and based on representations made to him/her the data imported into VCS is valid;
 - For each Exchange Visitor traveling to the U.S., verifying that the Exchange Visitor (see [22 CFR 62.12 \(b\)](#)):
 - meets eligibility requirements;
 - is qualified to be selected for the training activity;
 - has been accepted for the activity in which he or she will be participating;
 - Each dependent, relaying Mission Director approval (see [ADS 252.3.3.1](#)); and
 - Each Exchange Visitor activity.
- d. If applicable, Approvers must submit, via facsimile, the Dependent Certification ([AID Form 1380-5](#)) approved by the Mission Director to the EGAT/ED Responsible Officer.

252.3.5 Conditions of Sponsorship

Effective Date: 01/01/2005

Exchange Visitor biographical and activity information, required for obtaining a J-Visa Certificate of Eligibility Form DS-2019, that has been approved by the Mission using VCS, will be submitted to SEVIS by the EGAT/ED Responsible Officer. The DS-2019

form is generated by SEVIS, printed and signed by the EGAT/ED Responsible Officer, and sent by international courier to Mission or Bureau Approvers for consulate filing.

The Mission or Bureau Approver must retain control of the signed Certificates of Eligibility for J-1 Visa Status (DS-2019) until they are submitted with supporting documents to the U.S. Consulate. The Mission Approver must ensure that, if an Exchange Visitor does not depart for the U.S. as planned, the DS-2019 form is expeditiously returned to the EGAT/ED Responsible Officer with a brief explanation of the reason for the return. DS-2019 forms must be returned to the EGAT/ED Responsible Officer.

a. The following documents are required for consulate filing:

- Signed Certificate of Eligibility Form DS-2019,
- Valid passport,
- Non-immigrant visa application form(s),
- English language test results, (if necessary), and
- Health and Accident Coverage identification number.

The following essential terms of sponsorship must be followed for all U.S.-based Exchange Visitors:

a. Two-Year Foreign Residency Requirement and Waiver:

Under terms of the Information and Educational Exchange Act ([Pub. L. 80-402](#)), J-1 users must reside for a total of 24 months in the respective host country before being eligible for certain types of non-immigrant visas (e.g., H-1 or L-1) or for legal permanent residence in the U.S., (commonly known as a green card). However, J-1 users may continue to travel to the United States during this 24-month period if the individual holds another type of non-immigrant visa that permits such travel (such as a B-1/B-2, tourist/business visa). Time spent outside the home country is not counted towards fulfillment of the two-year home residency requirement.

All USAID Sponsoring Units (or Implementers) must inform Exchange Visitors of the two-year home residency requirement, which is specified as a condition of sponsorship, and Exchange Visitor applicants must agree to and sign Conditions of Sponsorship for J-1 Visa Holders, [AID Form 1381-6](#). This must be done before potential Exchange Visitors accept USAID sponsorship.

Exchange Visitors may apply for a waiver of the two-year home residency requirement. The waiver review process is administered by the Department of State, Waiver Review

Division. Only the Department of Homeland Security/USCIS has the authority to grant or deny a waiver of the two-year home residency requirement. USAID, as an Exchange Visitor Sponsor, is not authorized to grant a waiver of the two-year home residency requirement, but does provide Program Sponsor Views upon notification of each request.

USAID balances the government's interest in tracking individuals against the restrictions of the two-year home residency requirement. Therefore, all waiver requests are considered on a case-by-case basis. For Exchange Visitors traveling under the Government Visitor category, USAID will not object to the granting of a waiver of the two-year home residency requirement.

Whenever USAID does not object to the granting of a waiver, USAID will not issue a Bill of Collection, or otherwise seek to recover any costs related to the sponsorship of an individual, if a waiver is granted.

b. Transferring Visa Sponsorship:

EGAT/ED alone has the authority delegated from STATE to transfer J-1 visa sponsorship from one of the USAID programs to another program (e.g., a university J-1 program). EGAT/ED will not transfer its program sponsorship, except when the participant was originally identified, in error, as a USAID participant.

USAID-sponsored Exchange Visitors who have entered the U.S. on a J-1 visa processed under an authority other than USAID must change their J-1 visa/status to a USAID-authorized J-1.

The EGAT/ED Responsible Officer will administer the transfer of an Exchange Visitor from a non-USAID J-1 program into a USAID-designated J-1 program. Exchange Visitor data must be initiated in TraiNet, verified and approved in VCS, and transferred in SEVIS by the EGAT/ED Responsible Officer. The Exchange Visitor data must indicate an effective start date for USAID sponsorship, (corresponding with the end date of the previous sponsorship).

c. Employment of Exchange Visitors:

USAID-sponsored Exchange Visitors, holders of J-1 visas, must not be employed, except in connection with an assistantship, on-the-job training, or practical training experience that is an integral part of the sponsored activity.

Exchange Visitors are permitted to work if the job is part of the program in which they are participating. When a salary or stipend is paid, the maintenance allowance is reduced by the net amount paid. As long as the employment is part of the program, no special work permission from USAID is required.

252.3.5.1 Health and Accident Insurance Coverage

Effective Date: 01/01/2005

Appropriate Health and Accident Insurance Coverage (HAC) is required for all USAID-sponsored Exchange Visitors, who are enrolled in U.S.-based and third-country activities. A determination of health and accident liability is required for in-country activities. HAC coverage is a Department of State eligibility requirement for a J-1 visa. See [ADS 253](#) for further details.

252.3.5.2 Language Proficiency Determination

Effective Date: 01/01/2005

Sponsoring Units (or Implementers, as designated) must ensure, for J-visa eligibility, that Exchange Visitors know English well enough to participate effectively in their activity before they enter the U.S. (See [22CFR 62.10\(a\)\(2\)](#)). The use of interpreters for USAID Exchange Visitor training events may be advisable, but does not negate this requirement. This external requirement of English language proficiency determination cannot be waived by USAID. See [ADS 253](#) for further details.

252.3.6 Use of Visas Other Than J-1

Effective Date: 01/01/2005

USAID-sponsored Exchange Visitors who have entered the U.S. on an F-1 visa, which was processed under an authority other than USAID, must change their F-1 visa/status to a USAID-authorized J-1 in order to comply with USAID policy.

A change of visa/status from F-1 to J-1 can be accomplished through one of two procedures, according to the circumstances:

- a. From outside the U.S., the Exchange Visitor should consult with the U.S. Consulate about the appropriate procedures for applying for a J-1 visa and should re-enter the U.S. under J-1 visa/status classification.
- b. Within the U.S., the Exchange Visitor must file the appropriate application (currently I-539) to request a change of status while remaining in the United States. The I-539 "Application to Extend/Change Non-immigrant Status" and all supporting documents must be filed within one academic semester of the start of USAID sponsorship, if the duration of the program exceeds one semester.

252.3.7 Tracking Exchange Visitors and Dependents

Effective Date: 01/01/2005

The vital importance to the United States Government of tracking international students and Exchange Visitors enrolled in U.S.-based activities is indicated in the Enhanced Border Security and Visa Entry Reform Act of 2002 ([Pub. L. 107-173](#)). The Department of Homeland Security, Bureau of Citizenship and Immigration Services (USCIS), and Department of State, through the Student and Exchange Visitor Information System (SEVIS), have the ability to manage the issuance of J-visas, track students and Exchange Visitors, and monitor information relative to these Exchange Visitors. SEVIS

is part of an overall tightening of U.S. borders being undertaken by the Department of Homeland Security.

Agency policies and supporting procedures and systems for tracking USAID-sponsored Exchange Visitors reflect SEVIS requirements:

- a. Sponsoring Units (or Implementers, as designated) are responsible for tracking the whereabouts of their Exchange Visitors and dependents at all times while they are in the United States. Current contact information must be provided to the EGAT/ED Responsible Officer at any time upon request.

If a Sponsoring Unit (or implementer, as designated) cannot ultimately locate an Exchange Visitor for tracking purposes, the Sponsoring Unit (or implementer, as designated) must:

- (1) Solicit information regarding Exchange Visitor's whereabouts from all available sources, including fellow students, friends, and relatives; and, report such information both to police and EGAT/ED Responsible Officer.

- (2) File a "missing persons" police report.

- (3) Expeditiously notify the EGAT/ED Responsible Officer in writing, for possible program termination via SEVIS.

- b. Sponsoring Units (or Implementers, as designated) are also responsible for the Exchange Visitor's timely departure from the United States.

252.3.7.1 Exchange Visitor and Dependent Status Changes

Effective Date: 01/01/2005

Throughout an Exchange Visitor's stay in the United States, Sponsoring Units, if they become aware of changes in the Exchange Visitor's status, must transmit any such changes to the EGAT/ED Responsible Officer.

The following must be transmitted to the EGAT/ED Responsible Officer by entering the changes in Exchange Visitor status into USAID's Training Information Network (TraiNet), and verifying and approving the information using the USAID Visa Compliance System (VCS):

- a. Validation of Arrival

Within three business days of the start of an activity, Sponsoring Units (and/or implementer, as designated) must provide confirmation in TraiNet that each Exchange Visitor has arrived in the U.S. and begun their activity. The validation of the Exchange Visitor is verified and approved in VCS and submitted to SEVIS by the EGAT/ED Responsible Officer. If the Exchange Visitor does not start the program upon arrival,

the Sponsoring Unit or Implementer must report the Exchange Visitor to the EGAT/ED Responsible Officer, who will report the Exchange Visitor to USCIS as a no-show.

b. Exchange Visitor Biographical Data Updates

During the course of an Exchange Visitor's activity, any changes in the following information must be updated in TraiNet immediately. It is particularly important that changes in current U.S. address (Exchange Visitor residence) be reported within 10 days.

- Current U.S. Address—For short-term activities (31 days or less) with multiple site visits, where the participant's current address will change frequently, the U.S. address of the Implementer administering the activity may be used. However, USAID Sponsoring Units (or Implementers, as designated) are responsible for tracking the whereabouts of their participants at all times while they are in the United States ([ADS 252.3.8](#)).
- Name
- Sex
- Country of Birth
- City of Birth
- Country of Citizenship
- Country of Legal Permanent Residence
- Position Code
- Current Site of Activity—If the training or activity provider has not yet been identified at the time of initial data entry, the implementer's name and U.S. address may be used until such time as the provider is known. Once known, provider information should be entered as a site of training information update into TraiNet. The implementer's name and U.S. address may also be used for Exchange Visitor activities where no training or activity provider is being used.
- Field of Study
- Activity Start and End Dates
- USAID or Other funding contributions
- Program Completion [Update Exchange Visitor Status to "Completed"]

c. Travel Outside the United States

Exchange Visitors must obtain the approval of the Sponsoring Unit (or implementer, as designated) for travel outside the U.S. while enrolled in a USAID-sponsored activity.

Sponsoring Units (or Implementers, as designated) must ensure that the Exchange Visitor's DS-2019 is endorsed with the signature by the EGAT/ED Responsible Officer, or Alternate Responsible Officer, before the Exchange Visitor departs the U.S.

d. Non-Returnees

USAID-sponsored Exchange Visitors must depart the U.S. immediately after completion of their activity, unless circumstances arise that would preclude such departure and that USAID EGAT/ED approves in writing. Sponsoring Units (or Implementers, as designated) must track the departure status of their Exchange Visitors. In the event that an Exchange Visitor does not comply with this requirement, Sponsoring Units or Implementers, as designated, must report the Exchange Visitor immediately to the EGAT/ED Responsible Officer, so that the Exchange Visitor's data can be terminated in SEVIS. The EGAT/ED Responsible Officer must also be informed in writing by Sponsoring Units (or Implementers, as designated) if a Non-Returnee is found to have returned to their home country at any time thereafter. The recovery of sponsorship costs will be initiated and conducted according to the procedures indicated in ADS 253.

e. Termination of Exchange Visitor Data

The EGAT/ED Responsible Officer maintains records of all USAID-sponsored Exchange Visitors in the SEVIS database. Sponsoring Units or Implementers must notify the EGAT/ED Responsible Officer if they become aware that an Exchange Visitor: 1) is convicted of a crime; 2) is engaged in unauthorized employment; 3) has failed to pursue program activities; 4) has failed to submit change of address within 10 days; 5) has failed to maintain health insurance; 6) has failed to maintain a full course of study; 7) has been suspended involuntarily; 8) has violated sponsor rules governing the program; or 9) has violated Exchange Visitor program regulations.

In the event that an Exchange Visitor fails to return to his or her country of residence upon completion of his or her program, the EGAT/ED Responsible Officer terminates the Exchange Visitor's record in the SEVIS database, on that grounds that he or she has violated Exchange Visitor program regulations.

f. Dependent Biographical Data Updates

During the course of an Exchange Visitor's activity, any changes in the following information regarding an Exchange Visitor's dependent must be reported to the EGAT/ED Responsible Officer:

- Current U.S. Address
- Name
- Sex
- City of Birth
- Country of Birth
- Country of Citizenship
- Country of Legal Permanent Residence

252.3.8 Documenting Exchange Visitors and Dependents
Effective Date: 01/01/2005

Sponsoring Units (or Implementers, as designated) must keep relevant documentation on file pertaining to their Exchange Visitors, dependents, and sponsored activities:

- Training request or description of visitor exchange activity
- Nomination/Exchange Visitor selection documentation
- Exchange Visitors' bio-data information
- Face page of Exchange Visitors' passport
- Security risk inquiry documentation
- English language proficiency documentation
- Medical clearance confirmation (unless HAC Plan C is used)
- Signed Conditions of Sponsorship for J-1 Visa Holders Form, [AID 1381-6](#)
- Pre-departure orientation checklist
- SEVIS identification number
- All other documentation/correspondence related to visa compliance

Sponsoring Units may require the retention of other documentation. Sponsoring Units and Implementers must NOT make copies of, fax, or scan the DS-2019 form.

252.4 MANDATORY REFERENCES

252.4.1 External Mandatory References

- a. [22 CFR 62](#)
- b. [22 CFR 62.10\(a\)\(2\)](#)
- c. [22 CFR 213](#)
- d. [Pub. L. 80-402](#)
- e. [Pub. L. 107-173/H.R. 3525](#)

252.4.2 Internal Mandatory References

- a. [ADS 253, Training for Development](#)
- b. [ADS 625, Administrative Accounts Receivable](#)
- c. [The Complete Guide to USAID Visa Compliance](#)

252.4.3 Mandatory Forms

- a. [Conditions of Sponsorship for J-1 Visa Holders \(AID Form 1381-6\)](#)
- b. [Dependent Certification \(AID Form 1380-5\)](#)
- c. **Waiver of Requirement for Use of J-Visa (AID Form 522-5)**, only available on the USAID Intranet at [**http://inside.usaid.gov/forms/a522-5.doc**](http://inside.usaid.gov/forms/a522-5.doc)

252.5 Additional Help

252.6 DEFINITIONS

The terms and definitions listed below have been incorporated into the ADS Glossary. See the [ADS Glossary](#) for all ADS terms and definitions.

Covered Country

Countries identified annually as major illicit drug-producing or drug-transit countries under Section 490(h) of the FAA as well as any country or portion of a country that the Department of State determines is to be treated as a covered country under the 487 regulations. (Chapter 252, 206)

DS-2019 form (Certificate of Eligibility)

A form issued by the EGAT/ED Responsible Officer in Washington, D.C. to potential Exchange Visitors certifying the individual's eligibility to participate in their Exchange Visitor program and indicating the program start and end date. Exchange Visitors are authorized for a duration of stay in the U.S. limited to the program start and end date. (Chapter 253)

Exchange Visitor

An Exchange Visitor is defined as a host country resident, not employed by USAID, who is sponsored by the Agency for an activity conducted within the U.S., a third country, or in country for the purpose of furthering USAID development objectives. The Exchange Visitor may consult; demonstrate special skills; instruct; present; lecture; conduct research; attend professional meetings, conferences, workshops, or observational study tours; engage in degree or non-degree academic study (full course load); OR receive training. (ADS 253)

Health and Accident Coverage (HAC)

USAID's HAC insurance policy for all U.S. Exchange Visitors. (Chapter 253)

Host Country

The country in which the USAID mission is located, and the country for whose benefit a USAID program is being implemented. (Chapters 252, 301, 305, 311, 322, 495)
The country in which a USAID funded activity takes place. (Chapters 200-203, 252, 253, 301, 305, 311, 322, 495)

Host Country National

A citizen of a Host Country. (Chapter 253)

Individual Taxpayer Identification Number (ITIN)

The unique identifying number assigned by the IRS to each Exchange Visitor trained in the US, to track US tax liability and payment. (Chapter 253)

Implementer

See training contractor.

J-1 visa

A non-immigrant visa issued by the U.S. Embassy for an individual who has a residence in a foreign country which he has no intention of abandoning and who is coming temporarily to the U.S. as a Exchange Visitor for the purpose of consulting; demonstrating special skills; presenting; lecturing; conducting research; attending professional meetings, conferences, workshops, or observational study tours; and degree and non-degree academic studies (full course load); and specialty and non-specialty training activities. (Chapter 252)

Non-Presence Country

A country where USAID does not have a Mission or Representative Office. (Chapter 253)

Non-Returnee

An Exchange Visitor who has remained in the U.S. after the conclusion of his or her program. Non-Returnees may include individuals who have remained in the U.S. and have applied for a waiver of the two-year home residency requirement, they may also include “no-show” participants, and [participants who fail to appear during or after their Exchange Visitor program. (Chapter 253)

Presence Country

See Host Country.

SEVIS

The Student and Exchange Visitor Information System (SEVIS) is the Department of Homeland Security, Bureau of Citizenship and Immigration Services controlled database of Exchange Visitors traveling to the U.S. to pursue Exchange Visitor activities, pursuant to the Enhanced Border Security and Visa Entry Reform Act of 2002 Pub. L. 107-173/H.R. 3525. (Chapter 252)

Sponsoring Unit

The Mission or Bureau that expends USAID funds for an Exchange Visitor activity. (Chapter 252, 253)

Statement of Expenditure

The accounting of expenditures which must accompany each U.S. Exchange Visitor's income tax return, detailing the training-related expenditures paid from U.S. sources on behalf of the Exchange Visitor. (Chapter 252)

TraiNet

USAID database for reporting of information on all USAID training and Exchange Visitor activities. TraiNet is USAID's single repository of training and exchange data. TraiNet is a desktop and web-based application that helps Missions, contractors, and contractor systems at various locations to collaborate in training reporting. (Chapter 252)

Training Contractor

The organization hired by a Mission or USAID /W Bureau to help design, implement, or monitor aspects of results-oriented training or Exchange Visitor activities under Mission guidance and authority. See “Implementer.” (Chapter 253)

Visa Compliance System (VCS)

The Agency's web-based application, which interfaces between TraiNet and SEVIS, in which Exchange Visitors are verified and approved. (ADS 252)

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